

PLANNING COMMISSION REPORT



MEETING DATE: July 14, 2004

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

McDowell Mountain Business Park - 8-ZN-2004

REQUEST

Request to rezone from General Commercial, Planned Community Development District (C-4 PCD) to Industrial Park, Planned Community Development District (I-1 PCD) on approximately 1 acre and amend development standards/stipulations/site plan to case 7-ZN-2000 on a 16+/- acre parcel located at the southwest corner of 90th Street & Bahia Drive.

Key Items for Consideration:

- The one (1) acre site was originally rezoned to C-4 PCD District to accommodate an automotive restoration and sales facility
- A component of the request is to permit removal of most of the Old Verde Canal through the site and realignment of the associated trail and related mature native vegetation with a new alignment through the site, trailhead and interpretive center
- No public comment has been received

Related Policies, References:

- Case 7-ZN-2000 rezoned the 16-acre parcel to its current zoning of Central Business (C-2), Industrial Park (I-1) and General Commercial (C-4)
- 33-ZN-2000 applied the Planned Community District overlay

OWNER

The Horwitch Group LLC
480-947-6517

APPLICANT CONTACT

Martha West
Beus Gilbert PLLC
480-429-3000

BACKGROUND

Zoning.

The 16-acre site is currently a mixture of C-2 (Central Business), I-1 (Industrial Park) and C-4 (General Commercial) zoning districts. The 1-acre C-4 district is requested to be rezoned and be apart of the larger Industrial Park (I-1) district designation. The C-4 zoning district allows for the heaviest types of activities found in the city including warehousing wholesaling and light manufacturing plus offices and automobile uses including sales and repair. The I-1 District provides for manufacturing, processing and research as well as airport uses, warehouses and offices, but limits automobile related uses. The C-2 District commercial activities designed to serve the business



park and local community. The property is within the McDowell Mountain Business Park Planned Community Development District (PCD) District. The Planned Community District overlay that is applied to this area provides standards for the overall development of the area and is intended to preserve views of the McDowell Mountains.

General Plan.

The General Plan Land Use Element designates the property as Minor Employment uses within a Regional Use overlay. The Regional Use Overlay supports a variety of regional and community level activities. An Employment land use designation permits a range of employment uses such as light industrial, offices, and other mixed uses. This category is located where impacts on residential neighborhoods are minimized and access is available to labor pools and transportation facilities.

Context.

The surrounding property includes the following:

- North and east, I-1 PCD,
- South, Western Theme Park (W-P) zoning which is the WestWorld site,
- West is the Pima Freeway Frontage Road and freeway which is elevated in this area

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

The request is to update the earlier (7-ZN-2000) zoning case by amending the stipulations, site plan and development standards. The approximate one (1) acre parcel rezone is located in the southeast corner of the 16-acre parcel adjacent to Westworld. The C-4 zoning district was intended to be used for an automotive restoration and sales facility. The rezoning and the amendments proposed by the applicant will permit development of 3 buildings including two (3) story office buildings plus a bank building and a two and three level-parking garage. (See Attachment #10)

A component of the request is to permit removal of most of the Old Verde Canal through the site and realignment of the associated trail and related mature native vegetation. A stipulation of the 2000 zoning case for this property provided for the preservation of the "Old Verde Canal" and dyke. The trail realignment would provide a large (minimum 40-foot wide trail easement vs. 25 foot wide approved in the 2000 case) open space area containing 31,000 square feet through the site. Staff has stipulated additional enhancements to this realigned trail including interpretive center, equestrian hook-ups and revegetating the easement with the salvaged trees from the existing dyke. This trail would connect with the City's trail along the west side of the property that runs along the east side of the Pima Freeway Frontage Road.

The applicant also requests reduction of the 50-foot setback requirement along 90th Street to 35 feet and 10 feet from the cul-de-sac. The applicant justifies the amended standards request due to the PCD overlay requirement of a larger (minimum 70 foot required and 100 foot provided as part of the applicants proposal) building setback and open space for the frontage along the Pima

Freeway Frontage Road to the west. The northeastern building is setback 30 feet from Bahia Drive, per the existing PCD standards.

Key Issues.

- Modifications to the canal are requested to accommodate the site plan
- The existing utility infrastructure and traffic circulation system in this area supports the proposed rezoning and site development
- The revised site plan provides for reduced building setbacks on 90th Street and increased setbacks along the Pima Freeway Frontage Road

IMPACT ANALYSIS

Traffic.

The site has one existing access driveway from the Pima Freeway Frontage Road to the west, which was approved by the Arizona Department of Transportation. The development also proposes two driveways from Bahia Drive to the north and two driveways from 90th Street to the east. A trip generation analysis was completed for the site and overall 16-acre project that indicates that the total daily trip generation is 2,878 vehicles. This includes 417 vehicles during the a.m. peak hour and 383 vehicles during the p.m. peak hour. The proposed rezoning of the site is not anticipated to result in an increase of traffic. The existing streets in the area have been designed with sufficient capacity to accommodate the site-generated traffic.

Water/Sewer.

City water and sewer lines provided to the site from Bahia Drive and 90th Street as part of the Bell Road II Improvement District. The developer will pay for water and sewer line extensions to the proposed buildings from the street.

Open space, scenic corridors.

The redesign of the Old Verde Canal will permit the widening of the trail easement through this area to 40-foot (the original stipulation was for 25 foot) in width and enhance the appearance of the open space provided in this area. Also, a wide, open space area is provided along the Pima Freeway Frontage Road, to create a landscape buffer and building setback that was envisioned and approved under the original PCD for the views east to the mountains.

Policy Implications.

The proposed rezoning of the site is intended to conform with the surrounding property zonings to the north, east and west. The rezoning and site plan proposal conforms to the Minor Employment use and Regional Use Overlay of the General Plan. A stipulation of this case provides for realignment of the Old Verde Canal and trail and also provides for a new trailhead, interpretive center and other amenities. Reduction of the building setback requirement along 90th Street is considered acceptable with increased setbacks along the Pima Freeway Frontage Road.

Community Involvement.

Notices were mailed to neighboring properties within 750 feet of the site advising of the rezoning and the date of the public open house to discuss the proposal. The applicant also posted a "Project Under Consideration" sign on

the site. The sign also advised of the rezoning and date of the public open house for the project. The applicant held the public open house on May 5, 2004. No neighbors attended the open house meeting and no calls, e-mails or letters have been received from the public on this case. A letter of no comment was received from ADOT. Staff has not received letters or calls on this rezoning case.

Community Impact.

No adverse impact is anticipated from rezoning of a portion of the site from General Commercial (C-4) PCD to Industrial Park (I-1) PCD District and the associated stipulation modifications and amended development standards. The one (1) acre site will be used as a parking structure in conjunction with the larger 16-acre office and bank property. The proposed I-1 PCD zoning matches surrounding zoning on the east, west and north sides. Existing utility infrastructure and street circulation systems are designed to accommodate traffic related to the type and level of land uses proposed. Modification to the Old Verde Canal and realignment of the trail to establish an Old Verde trailhead and interpretive center provides for the development of the site and establishes a connection of the trail with adjacent properties.

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.


RESPONSIBLE
DEPT(S)

Planning and Development Services Department
Current Planning Services


STAFF CONTACT(S)

Al Ward
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APPROVED BY



Al Ward
Report Author



Kurt Jones, AICP
Director, Current Planning

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Summary
8. Citizen Involvement
9. City Notification Map
10. Site Plans

PROJECT NARRATIVE

Case 8-ZN-2004 South of the Southwest Corner of 90th Street & Bahia Drive

Application 8-ZN-2004 is a request to accomplish the following:

- Rezone 1 acre of a 15.57 acre site from C-4 PCD to I-1 PCD
- Amend stipulations 1, 3, and 6 of Case 7-ZN-00 applicable to the 15.57 acre site
- Amend development standards applicable to the 15.57 acre site

REZONING FROM C-4 PCD to I-1PCD

This application is requesting a down-zoning of a portion of the property located at the southwest corner of 90th Street and Bahia Drive. This application specifically requests the down-zoning of a 1-acre portion a 15.57 acre property from C-4 PCD to I-1 PCD to match the existing zoning of that portion of the property adjacent to the 1-acre portion.

In 2000, the 15.57-acre property was rezoned to C-2, I-1, and C-4 pursuant to case 7-ZN-00 (Ordinance 3312). The 1-acre C-4 parcel was proposed at that time for an automotive sales and restoration center as part of a commercial/industrial center. In 2001, the City Council approved case 33-ZN-2000 creating the Horseman's Park PCD. The 15.57-acre property is part of this PCD.

Today, the owners are proposing to eliminate this C-4 district, which allows the City's most intense uses, and to match the zoning of this parcel with the I-1 existing zoning on most of the remaining property and in the surrounding area. The owners plan to develop the 15.57-acre parcel to accommodate 2 three-story office buildings, a bank, and a parking structure consistent with C-2 PCD and I-1 PCD zoning.

SITE PLAN/STIPULATION AMENDMENTS

Case 7-ZN-00 includes Planning/Development stipulation #1 requiring conformance with a site plan and development program dated 3/25/00 for the 15.57 acre site. A revised site plan showing a new site plan configuration has been filed for the 15.57acre site.

Stipulation #3 requires that "with Development Review Board submittal for each lot or parcel, the developer shall submit a detailed plan, to the satisfaction of City staff which fully explains how the preservation on the 'Old Verde Canal' and dike will be assured". As described below, it is proposed that the Old Verde Canal alignment be modified and accordingly it is requested that this stipulation be deleted or modified to reflect the proposed alignment and improvements proposed.

Stipulation # 6 requires that a revised site plan be submitted to demonstrate that the Old Verde Canal is being preserved. In light of the modifications proposed to the canal alignment and the improvement proposed to be implemented with that realignment, this stipulation needs to be modified or deleted.

AMENDED STANDARDS PROPOSED

This application requests a modified development standard pursuant to the property development standards modification procedure applicable to the Horseman's Park West Planned Community District (PCD).

The underlying I-1 zoning applicable to the majority of the 15.57 acre parcel, with the exception of the land adjacent to the Pima Freeway frontage road, has a building and accessory structure setback requirement of 50 feet to any street (Section 5.1804.F.1). This setback would be applicable to buildings and accessory structures adjacent to 90th Street. The freeway frontage road and Bahia Drive setback requirements were specifically created by the Horseman's Park West PCD (70 ft. for the freeway frontage road and 25 ft. for Bahia Drive). Accordingly, the Freeway frontage and Bahia setbacks applicable are those of the Horseman's Park PCD. This leaves the 50 ft. setback requirement for the 90th Street frontage of the proposed project.

It is estimated that in lieu of providing the 50 ft. setback, the building/accessory structure setbacks along 90th Street will vary from a maximum of 35 ft. to a minimum of 10 ft. The 10ft. setback coincides with the location of the turning circle (cul-de-sac) at the southern terminus of 90th Street. The proposed setback reduction is created in response to the addition of substantially greater building setbacks adjacent to the freeway frontage road. Whereas the Horseman's Park West PCD requires a 70 ft. setback, this project will produce a 100 ft. minimum setback. This project, with its modified building/structure setbacks, will produce a business park with superior landscape quality, as seen from the Pima Freeway and in its modified Old Verde Canal alignment and improvements described below. The result of the setback modification is a landscape treatment that will be superior in quality to what could be created under existing standards.

OLD VERDE CANAL REALIGNMENT/IMPROVEMENTS PROPOSED

The recent site planning process, in preparation for this case and a future Development Review Board submittal, disclosed that in addition to the rezoning of the C-4 portion of the site, the mixed use trail following the Old Verde Canal alignment could be beneficially relocated to benefit the continuation of the City's mixed use trail and to provide additional meaningful and usable open space.

The Old Verde Canal berm currently terminates at the site due to the construction of the Pima Freeway. The relocation of the trail easement through the project site benefits the City in the following ways:

- The proposed trail easement will be increased from 25' to 40' in width (60% increase)
- The overall length of the easement has been increased from 630' to 800' (27% increase)

- Additional elements are proposed for the trail experience through the site, including: a canal trailhead area; interpretive vignettes, historical/chronological information; horse tie-ups/water, and the introduction of indigenous and riparian plant types.
- The trail could be extended to the north of Bahia Drive in the future rather than simply terminating at the freeway

The owners will be providing additional details of each element of the relocated Old Verde Canal experience in the Development Review Board submittal for the office project.

Attachment

**McDowell Mountain Business Park
Case # 8-ZN-2004**

**Proposed Amended Development Standards
I-1 District**

Sec. 5.1804.F. Yards

1. Front Yard. No part of the building or accessory structure shall be located closer than ~~fifty (50)~~ **[ten (10)]** feet to ~~any street~~ **[the 90th Street cul-de-sac and thirty-five (35) feet to the remainder of 90th Street]**. Parking may occur in the required front yard as provided in Section 10.402.C.1.



McDowell Mountain Business Park

8-ZN-2004

ATTACHMENT #2



McDowell Mountain Business Park

8-ZN-2004

ATTACHMENT #2A

General Plan



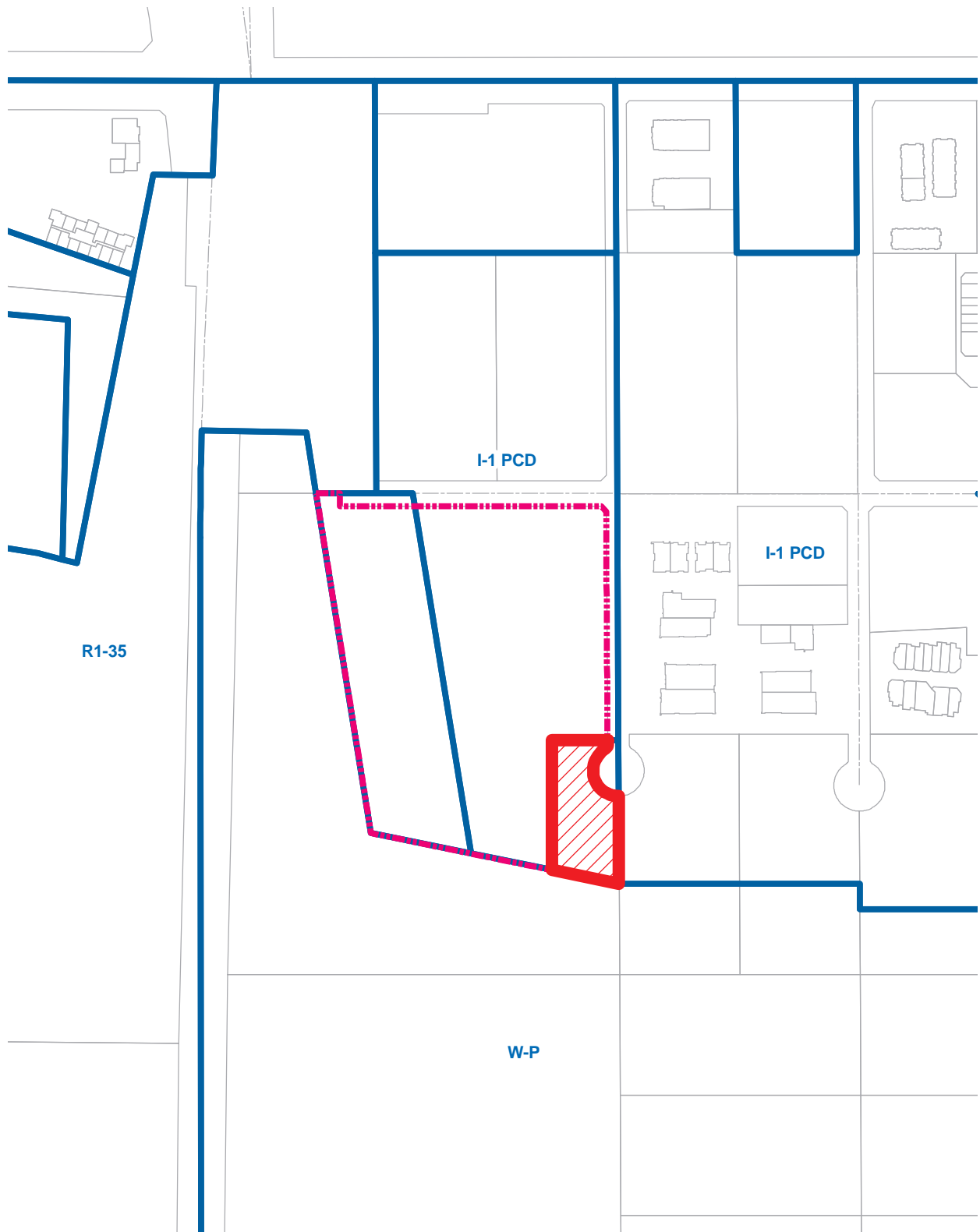
Legend

Streets	Mixed-Use Neighborhoods	Suburban Neighborhoods
Commercial	Natural Open Space	Urban Neighborhoods
Cultural/Institutional or Public	Office	
Developed Open Space	Resorts/Tourism	
Employment	Rural Neighborhoods	



8-ZN-2004

ATTACHMENT #3



STIPULATIONS FOR CASE 8-ZN-2004
THESE STIPULATIONS TAKE PRECEDENT OVER THE 7-ZN-2000 STIPULATIONS

PLANNING/ DEVELOPMENT

1. CONFORMANCE TO SITE PLAN. Development shall conform to the site plan submitted by DFD CornoyerHedrick and dated April 27, 2004. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform to the amended development standards dated July 1, 2004 and attached herein. Any change to the development standards shall be subject to subsequent public hearings before the Planning Commission and City Council.
3. MODIFICATION TO OLD VERDE CANAL. The Old Verde Canal and dike location may be modified as shown on the site plan submitted by DFD CornoyerHedrick and dated April 27, 2004. In conjunction with the relocation, the developer shall dedicate a forty (40) foot wide trail and open space easement for approximately eight hundred (800) feet through the site (creating a trail connection to the north of Bahia), along with a minimum of 31,000 square feet of associated open space, to the satisfaction of the City Trails Coordinator.
4. OLD VERDE CANAL TRAILHEAD AND INTERPRETIVE CENTER. The developer shall provide an Old Verde Canal Trailhead and Interpretive Center with historical information and display, pedestrian area, landscaping, horse tie-up and water station, being generally shown on the Old Verde Canal Trailhead Plan submitted by DFD CornoyerHedrick dated March 4, 2004. The location of the above mentioned improvements shall be to the satisfaction of the Development Review Board and the City Trails Coordinator.
5. SALVAGED CANAL INDIGENOUS TREES. The developer shall utilize salvaged indigenous trees from the canal site for re-vegetation of the Old Verde Canal Trailhead and Interpretive Center and trail, to the satisfaction of the Development Review Board and the City staff.
6. USES. If any portion of a business or tenant space extends across two zoning districts, the business or tenant shall comply with the most restrictive use regulations.

ENVIRONMENTAL DESIGN

1. ALTERATIONS TO NATURAL WATERCOURSES. Any proposed alteration to the natural state of watercourses with a 100-year peak flow rate estimated between 250 cfs and 749 cfs shall be subject to Development Review Board approval.
2. NON-PROTECTED NATIVE PLANTS. Native plants which are not protected by the Scottsdale Revised Code native plant provisions, but which are necessary for on-site revegetation, are suitable for transplanting, or are necessarily uprooted for road building or similar construction, as determined by city staff, shall be stockpiled during construction and shall be replanted in on-site landscape areas by the developer before the final site inspection.

CIRCULATION

1. VEHICLE AND PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a site Vehicle and Pedestrian Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and width of all accesses, drive aisles, sidewalks and pedestrian pathways.

DRAINAGE AND FLOOD CONTROL

CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to city staff approval.

WATER

BASIS OF DESIGN REPORT (WATER). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval.

WASTEWATER

BASIS OF DESIGN REPORT (SANITARY SEWER). Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a basis of design report and plan subject to Water Resources Department approval.

ADDITIONAL INFORMATION FOR CASE 8-ZN-2004

PLANNING/DEVELOPMENT

1. **DEVELOPMENT CONTINGENCIES.** The approved development program, including intensity, may be changed due to drainage issues, topography, NAOS requirements, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval. Appropriate design solutions to these constraints may preclude achievement of the proposed development program.
2. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - a. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - b. Treatment of the Old Verde Canal Trailhead and Interpretive Center which shall contain historical information and displays, pedestrian area, horse tie-ups and water station and salvaged Canal indigenous plants
 - c. scenic corridors and buffered parkways,
 - d. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - e. major stormwater management systems,
 - f. alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - g. site and parking walls,
 - h. signage,
 - i. Master Environmental Design Concept Plans.
3. **NOTICE TO PROSPECTIVE BUYERS.** The developer shall give the following information in writing to all prospective buyers of lots on the site;
 - a. The closest distance from the lot to the midpoint of the Scottsdale Airport runway.
 - b. The development's private streets shall not be maintained by the city.
 - c. The city shall not accept any common areas on the site for ownership or maintenance.
4. **NATIVE PLANT PRESERVATION.** The owner shall secure a native plant permit as defined in the Scottsdale Revised Code for each parcel. City staff will work with the owner to designate the extent of the survey required within large areas of proposed undisturbed open space. Where excess plant material is anticipated, those plants shall be offered to the public at no cost to the owner in accordance with state law and permit procedure or may be offered for sale.

ENGINEERING

1. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the city to provide any of these improvements.

2. **CONCEPTUAL DRAINAGE REPORT.** The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
 - a. Identify all major wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of ALL washes, which exit the property.
 - b. Determine easement dimensions necessary to accommodate design discharges.
 - c. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 - d. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 - e. Include a complete description of requirements relating to project phasing.
3. **FINAL DRAINAGE REPORT.** With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a final drainage report and plan subject to city staff approval. The final drainage report and plan shall conform to the Design Standards and Policies Manual – Drainage Report and Preparation. In addition, the final drainage report and plan shall:
 - i. Addendum generated by the final drainage analysis for this site shall be added to the appendix of the final drainage report.
 - ii. Provide final calculations and detailed analysis that demonstrate consistency with the accepted conceptual drainage plan and report.
4. **STORM WATER STORAGE REQUIREMENT.** Before improvement plan approval, the developer shall submit a final drainage report and plan which calculates the storm water storage volume required, V_r , and the volume provided, V_p , using the 100-year, 2-hour storm event.
5. **STORM WATER STORAGE REQUIREMENT.** On-site storm water storage is required for the full 100-year, 2-hour storm event, unless city staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
 - a. If applicable, the developer shall submit to the Community Development Division a Request for Waiver Review form, which shall:
 - i. Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - ii. Include an estimate for payment in-lieu of on-site storm water storage, subject to city staff approval.
 - b. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained the waiver approval.
6. **STORM WATER STORAGE EASEMENTS.** With the Development Review Board submittal, the developer shall submit a site plan subject to city staff approval. The site plan shall include and identify tracts with easements dedicated for the purposes of storm water storage, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual.
7. **DRAINAGE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all drainage easements necessary to serve the site.

VERIFICATION OF COMPLIANCE

1. **REQUIRED SPECIAL INSPECTIONS.** Before the approval of the improvement plans, the Project Quality/Compliance Division staff shall specify those drainage facilities that shall be required to have Special Inspections. See Section 2-109 of the Design Standards and Policies Manual for more information on this process.
2. **CONDITION FOR ISSUANCE OF GRADING & DRAINAGE PERMIT.** Before the issuance of a Grading & Drainage Permit:
 - a. The developer shall certify to the Project Quality/Compliance Division, that it has retained an Inspecting Engineer by completing Part I (Project Information) and Part II (Owner's Notification of Special Inspection) of the Certificate of Special Inspection of Drainage Facilities (CSIDF); and,
 - b. The Inspecting Engineer shall seal, sign and date Part III (Certificate of Responsibility) of the CSIDF.
3. **CONDITION FOR ISSUANCE OF CERTIFICATE OF OCCUPANCY AND/OR LETTER OF ACCEPTANCE.** Before the issuance of a Certificate of Occupancy and/or a Letter of Acceptance:
 - a. The Inspecting Engineer shall seal, sign and date the Certificate of Compliance form.
 - b. The developer shall submit all required Special Inspection Checklists and the completed Certificate of Compliance form to the Inspection Services Division. The Certificate of Compliance form shall be sealed, signed and dated by the Inspecting Engineer, and shall be attached to all required Special Inspection Checklists completed by the Inspecting Engineer.
4. **AS-BUILT PLANS.** City staff may at any time request the developer to submit As-built plans to the Inspection Services Division. As-built plans shall be certified in writing by a registered professional civil engineer, using as-built data from a registered land surveyor. As-built plans for drainage facilities and structures shall include, but are not limited to, streets, lot grading, storm drain pipe, valley gutters, curb and gutter, flood walls, culverts, inlet and outlet structures, dams, berms, lined and unlined open channels, storm water storage basins and underground storm water storage tanks, bridges as determined by city staff.
5. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.
6. **CITY CONTROL OF ACCESS.** The city retains the right to modify or void access within city right-of-way. The city's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

BASIS OF DESIGN FOR WATER

1. The basis of design report shall conform to the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location, size, condition and availability of existing water lines and water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.

- b. Identify the timing of and parties responsible for construction of all water facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.
3. NEW WATER FACILITIES. Before the issuance of Letters of Acceptance by the Inspection Services Division, the developer shall provide all water lines and water related facilities necessary to serve the site. Water line and water related facilities shall conform to the city Water System Master Plan.
4. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

BASIS OF DESIGN FOR WASTEWATER

1. The basis of design report shall be in conformance with the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
 - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
 - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
 - c. Include a complete description of requirements relating to project phasing.
2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Project Quality/Compliance Division, the developer shall have obtained approval of the Basis of Design Report.

OTHER REQUIREMENTS

1. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

- a. Submit a completed Notice of Intent (NOI) to the EPA.
 - b. Submit a completed Storm Water Pollution Prevention Plan (SWPPP) to the EPA.
2. NOISE AND AVIGATION EASEMENT. With the final plans submittal, the developer shall submit a completed noise and avigation easement and communication form, to the satisfaction of the Airport Director.
3. NOTICE OF INTENT (NOI). With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a copy of the NOI.

4. SECTION 404 PERMITS. With the improvement plan submittal to the Project Quality/Compliance Division, the developer' engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
5. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving equipment permit) from Maricopa County Division of Air Pollution Control. Call the county 602-507-6727 for fees and application information.
6. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Project Quality/Compliance Division, the developer shall submit a signed No Conflict form (not required for city owned utilities) from every affected utility company.
7. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and Engineering Bulletin #11 Minimum Requirements for Design, Submission of Plans, and Specifications of Sewerage Works, published by the ADEQ. In addition:
 - a. Before approval of final improvement plans by the Project Quality/Compliance Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 - b. Before issuance of encroachment permits by city staff, the developer shall provide evidence to city staff that a Certificate of Approval to Construct Water and/or Wastewater Systems has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - c. Before commencing construction, the developer shall submit evidence to city staff that Notification of Starting Construction has been submitted to the MCESD. This evidence shall be on a document developed and date stamped by the MCESD staff.
 - d. Before acceptance of improvements by the city Inspection Services Division, the developer shall submit a Certificate of Approval of Construction signed by the MCESD and a copy of the As-Built drawings.
 - (1). Before issuance of Letters of Acceptance by the city Inspection Services Division, the developer shall:
 - (2). Provide to the MCESD, As-Built drawings for the water and/or sanitary sewer lines and all related facilities, subject to approval by the MCESD staff, and to city staff, a copy of the approved As-Built drawings and/or a Certification of As-Built, as issued by the MCESD.
 - (3). Provide to the MCESD a copy of the Engineers Certificate of Completion with all test results, analysis results, and calculations, as indicated on the form.
 - (4). Provide to the MCESD a copy of the Request for Certificate of Approval of Construction of water and/or sanitary sewer lines with all appropriate quantities.
 - (5). Provide the city Inspection Services Division a copy of the Certificate of Approval of Construction, as issued by the MCESD.



Kimley-Horn
and Associates, Inc.

April 19, 2004

■
Suite 300
7878 N. 16th Street
Phoenix, Arizona
85020

Mr. Tom McIntire
Kitchell Development Co.
1707 East Highland
Suite 200
Phoenix, Arizona 85016

Re: Bahia Drive and Pima Road
Traffic Statement

Dear Mr. McIntire:

This analysis was completed to support a zoning change of one acre of the site located on the southeast corner of Bahia Drive and Pima Road in Scottsdale, Arizona from C-4 to I-1 zoning. The analysis compares the total trip generation of the original office complex to the total trip generation after the zoning change. The change in building area is due to the fact that one of the acres previously zoned C-4 for the general office land use has been replaced by a parking structure which will serve the rest of the development.

Using trip rates provided in the Institute of Transportation Engineers' Trip Generation, 7th Edition (2003 Update), the number of trips generated by the land uses were estimated. The results of these calculations are shown in **Table 1**.

Table 1 – Revised Trip Generation

Land Use	ITE Code	Quantity	Units	Daily Total	AM Peak			PM Peak		
					In	Out	Total	In	Out	Total
General Office	710	271,400	SF	2,878	367	50	417	65	318	383

General Office (ITE 7th Edition)

Daily (ITE 710)

$$\text{Ln}(T) = 0.77 \times \text{Ln}(1000\text{'s of SF}) + 3.65$$

50% In

50% Out

AM Peak Hour (ITE 710)

$$\text{Ln}(T) = 0.80 \times \text{Ln}(1000\text{'s of SF}) + 1.55$$

88% In

12% Out

PM Peak Hour (ITE 710)

$$T = 1.12 \times (1000\text{'s of SF}) + 78.81$$

17% In

83% Out

As shown in **Table 1**, a total of 2,878 daily trips are anticipated for the original building area of the general office land use, with 417 of these trips occurring in the AM peak hour, and 383 occurring in the PM peak hour. The change in zoning is not affecting the site plan. The planned buildings will remain the same; therefore the change in zoning will have no affect on the traffic impacts of the site.



Kimley-Horn
and Associates, Inc.

Tom McIntire, April 19, 2004, Page 2

We appreciate the opportunity to perform this analysis on your behalf. If you have any questions, feel free to call me at (602) 944-5500.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Charles R. Wright, P.E.
Vice President

CRW/dlc

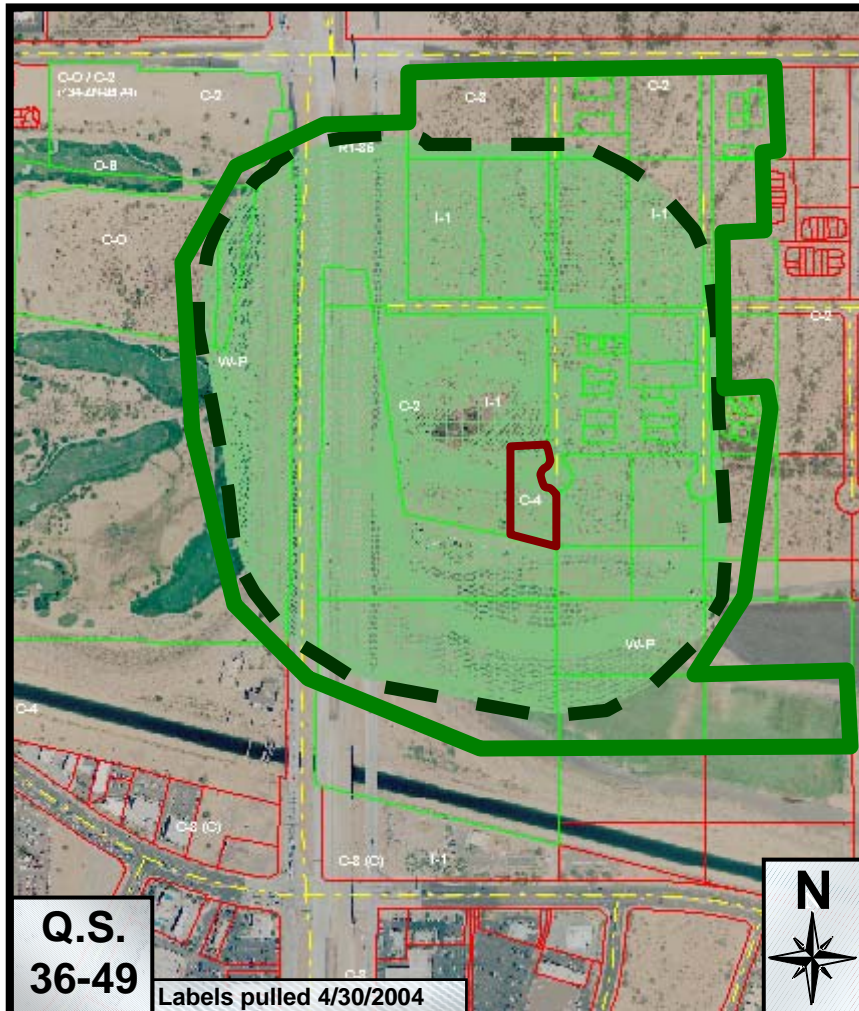
K:\Tpto\Bahia and Pima\bahia and pima.doc

McDowell Mountain Business Park 8-ZN-2004

Attachment #8. Citizen Involvement

The above attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

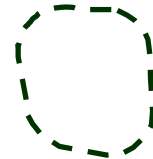
City Notifications – Mailing List Selection Map



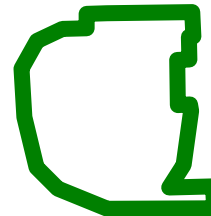
Map Legend:



Site Boundary



Properties within 300-feet



Extended Selection
(Additional properties notified)

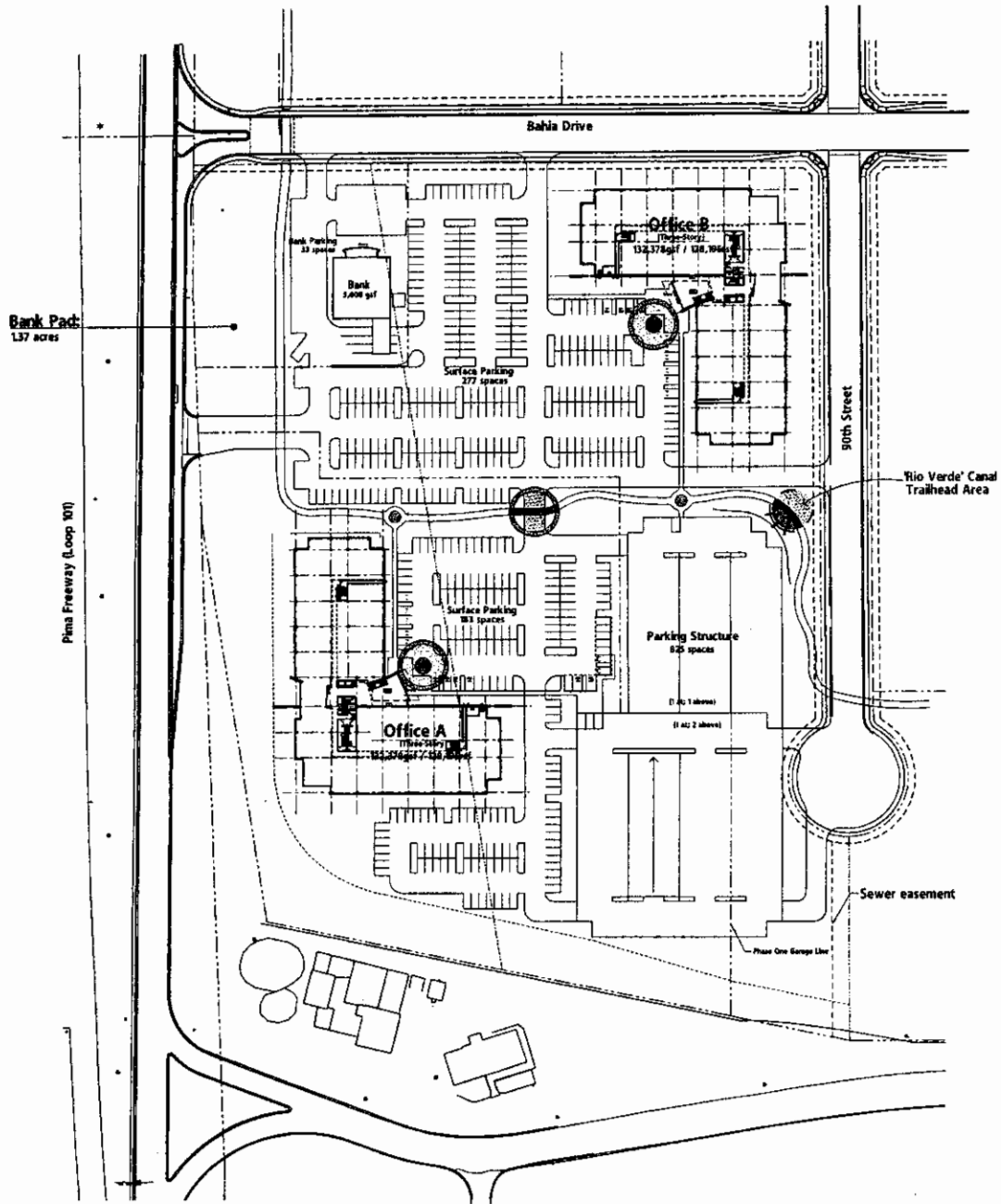
Additional Notifications:

- Interested Parties
- Adjacent HOAs

McDowell Mountain Business Park

8-ZN-2004

ATTACHMENT #9



Site Plan

Project Data:

Current Zoning: C-2, I-1, C-4
Proposed Zoning: I-1, C-2
Total Site Area: 15.57 acres net (678,548sf)
Building Height: 30'

Open Space Required (not including parking lot landscaping):

= 87,954.8 + 6,146.80 = 94,101.60 sf (10%)
Open Space Provided: 141,351 sf

Front Open Space Required:

Required Open Space = 10%
121,095.40 x .10 = 12,109.54 sf
Front Open Space Provided: 79,122 sf

Parking Lot Landscaping Required:

parking lot area = 12%
197,268 sf x .12 = 23,672.16 sf
Parking Lot Landscaping Provided: 30,400 sf

Total Site Area: 15.57 acres net (678,548sf)
16.80 acres gross (731,952sf)

Total Building Area: 264,756 sq ft (256,390 rsf)

Total Parking Required: 903 spaces (1/300 sq ft office; 1/250 sq ft bank)

Total Parking Provided: 1,283 spaces (5.01 : 1000 rsf)

F.A.R.: .39

013 Land Development

ARCHITECTURE
INTERIOR ARCHITECTURE
SCAPE DESIGN
LANDSCAPE ARCHITECTURE
LAND PLANNING
LANDSCAPE ARCHITECTURE
GRAPHIC DESIGN

McDowell Mountain Business Park
Scottsdale, Arizona

KITCHELL
DEVELOPMENT

03332
25 APR 04

8-ZN-2004
7/1/2004